IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 25119 of 2007(M)

PETITIONER:

T.K.MUHAMMED KUTTY, S/O.KUNHAMUTTY,
AGED 44 YEARS, KUNNUMMAL HOUSE,
KOORAD P.O., MALAPPURAM DIST.

BY ADV. SRI.DEVIDAS.U.K

RESPONDENTS:

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1. THE KERALA STATE FINANCE ENTERPRISES LTD
CORPORATE OFFICE, "BHADRATHA", THRISSUR.

2. THE SPECIAL DEPUTY TAHSILDAR,
(REVENUE RECOVERY), THE KERALA STATE FINANCE
ENTERPRISES LTD., PALAKKAD.

3. VILLAGE OFFICER, WANDOOR,
MALAPPURAM DISTRICT.

R1&2 BY SRI.M.L.SAJEEVAN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.25119 of 2007

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Dated this the 18th day of August, 2007.

JUDGMENT

This is the third writ petition filed by the petitioner challenging recovery proceedings. The petitioner was first granted instalment facility vide Ext.P2 judgment in January 2006. The petitioner did not avail the facility and therefore, this court vide Ext.P6 judgment granted one more opportunity to the petitioner to pay the amount in lump. However, petitioner has again defaulted and therefore, necessarily petitioner's property has to be sold. I do not find any ground to interfere with the recovery proceedings. However, as a last chance petitioner is granted time till 30.9.2007 to pay the amount in terms of demand under Ext.P1. If petitioner has any grievance against interest of 1.5% which is stated to be in excess for the defaulted amount, petitioner can make a representation to the Managing Director of KSFE, but after paying atleast Rs.2.4 lakhs on or before 30.9.2007, failing which the Managing Director need not consider the petitioner's objection and can proceed against the petitioner after 30.9.2007.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms